# 2011 DRAFTING REQUEST

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Received: 01/06/2011  Wanted: As time permits				Received By: chanaman					
				Companion to LRB:					
For: Mar	For: Mark Honadel (608) 266-0610				By/Representing: Jason Vick				
May Con			411	Drafter: chanaman					
Subject:		al Law - crime al Law - sente	_		Addl. Drafters:				
					Extra Copies:				
Submit v	ia email: YES								
Requeste	r's email:	Rep.Hona	del@legis.w	visconsin.gov	,				
Carbon c	opy (CC:) to:								
Pre Topi	c:		77.						
No specif	fic pre topic gi	iven							
Topic:									
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Instruct	ions:								
See attack	hed 09 ab 22	25							
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Vers.	<u>Drafted</u>	Reviewed	Typed	Proofed	Submitted	Jacketed	Required		
/?	chanaman 01/06/2011	wjackson 01/17/2011							
/1			jfrantze 01/18/20	11	sbasford 01/18/2011	ggodwin 07/14/2011			
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Received By: chanaman

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					Extra Copies:			
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/?	chanaman 01/06/2011	wjackson 01/17/2011						
/1			jfrantze 01/18/201	11	sbasford 01/18/2011			
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### 2011 DRAFTING REQUEST

Bill

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Received By: chanaman

Wanted: As time permits

Companion to LRB:

For: Mark Honadel (608) 266-0610

By/Representing: Jason Vick

May Contact:

Drafter: chanaman

Subject:

Criminal Law - crimes agnst kids

Criminal Law - sentencing

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email:

Rep.Honadel@legis.wisconsin.gov

Carbon copy (CC:) to:

**Pre Topic:** 

No specific pre topic given

Topic:

Mandatory minimum sentencing for child sex crimes--remove any discretion

**Instructions:** 

See attached-- 09 ab 225

**Drafting History:** 

Vers.

Drafted

Reviewed

Typed Proofed

Submitted

Jacketed

Required

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chanaman

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FE Sent For:

<END>

#### Hanaman, Cathlene

From:

Vick, Jason

Sent:

Thursday, January 06, 2011 11:30 AM

To:

Hanaman, Cathlene

Subject:

Redraft Request -- 2009 AB 225 (mandatory minimum sentences child sex offenses)

· Cathlene,

Rep. Honadel would like to request a redraft of 2009 AB 225 (LRB-2018/1), relating to: mandatory minimum sentences for certain child sex offenses.

Thank You.

Jason Vick
Office of Rep. Mark Honadel
21st Assembly District
608-266-0611



# State of Wisconsin 2009 - 2010 LEGISLATURE

D911/1 LRB-2018/1 CMH:bjt.45/

WLJ To IN

# 2009 ASSEMBLY BILL 225



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April 23, 2009 – Introduced by Representatives Honadel, Vos. Suder, Brooks, Gunderson, Kerkman, Kleefisch, Knodl, LeMahieu, Lothian, Murtha, Nass, Nygren, Petrowski, Spanbauer, Strachota and Townsend, cosponsored by Senators Plale, Darling, Hopper, Kreitlow, Leibham and Olsen. Referred to Committee on Corrections and the Courts.

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AN ACT *to repeal* 939.617 (2); and *to amend* 939.617 (1) of the statutes; **relating** 

to: mandatory minimum sentences for certain child sex offenses.

### Analysis by the Legislative Reference Bureau

Under current law, if a person is convicted of sexual exploitation of a child, use of a computer to facilitate a child sex crime, or possession of child pornography, the court must impose a bifurcated sentence, which includes a term of confinement in prison and a term of extended supervision in the community. Current law sets a mandatory minimum term of confinement of five years if the conviction is for sexual exploitation of child or use of a computer to facilitate a child sex crime, and a mandatory minimum term of confinement of three years if the conviction is for possession of child pornography. The mandatory minimum term of confinement does not apply if the convicted person was under the age of 18 when he or she committed the crime or if the court finds that, if it does not apply the mandatory minimum, the best interests of the community will be served and the public will not be harmed. Under this bill, the mandatory minimum term of confinement does not apply only if the convicted person was under the age of 18 when he or she committed the crime.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**SECTION 1.** 939.617 (1) of the statutes is amended to read:

### **ASSEMBLY BILL 225**

939.617 (1) Except as provided in subs. (2) and sub. (3), if a person is convicted
of a violation of s. 948.05, 948.075, or 948.12, the court shall impose a bifurcated
sentence under s. 973.01. The term of confinement in prison portion of the bifurcated
sentence shall be at least 5 years for violations of s. 948.05 or 948.075 and 3 years
for violations of s. 948.12. Otherwise the penalties for the crime apply, subject to any
applicable penalty enhancement.

**SECTION 2.** 939.617 (2) of the statutes is repealed.

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(END)

### Godwin, Gigi

From:

Vick, Jason

Sent:

Thursday, July 14, 2011 2:04 PM

To:

LRB.Legal

Subject:

Draft Review: LRB 11-0911/1 Topic: Mandatory minimum sentencing for child sex crimes-remove any discretion

Please Jacket LRB 11-0911/1 for the ASSEMBLY.